

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Derick D. Gibson,

Plaintiff,

v.

Case No. 1:13cv220

District 2 Police Station,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on April 4, 2013 (Doc. 4).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation (Doc. 4) have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 4) of the Magistrate Judge is hereby **ADOPTED**. The Complaint (Doc. 1) is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915€(2)(B). An appeal of this Order would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3); therefore the Court would deny any leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett
United States District Judge